

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
AIKEN DIVISION

Davinne Shabaz Dreher,
Plaintiff,

vs.

Alvin S. Glenn det. Center; Richland Prisma
Health; Judicial Office Rich co; Rich County
Sheriff dept; South Carolina Rich Co; Nurse
at Prisma Health; Deputy Woman Dephess;
Deputy Cpl Morrow Anthony; Deputy
Culler; Rich Sheriff Dept; ASG Det Center;
Office Ajac; Offic M Hopkins; Officer Lt
Leunt; Sgt Tucker; Judge Patient VanObriel
Ellis,

Defendants.

Civil Action No. 3:25-cv-3495-CMC

ORDER

This matter is before the court on Plaintiff's Amended Complaint, brought pursuant to 42 U.S.C. § 1983. ECF No. 14. In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02 (B)(2)(e), D.S.C., the matter was referred to United States Magistrate Judge Paige J. Gossett for pre-trial proceedings. Plaintiff was granted leave to proceed *in forma pauperis*. ECF No. 7. On June 11, 2025, the Magistrate Judge issued a Report and Recommendation ("Report") recommending Plaintiff's Amended Complaint be summarily dismissed without prejudice and without issuance and service of process. ECF No. 20. The Magistrate Judge advised Plaintiff of the procedures and requirements for filing objections to the Report and the serious consequences if he failed to do so. Since the Report was filed, Plaintiff has filed six letters and three motions with the court. ECF Nos. 23, 24, 25, 26, 27, 28, 31, 35, 36, 38.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the

court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. See 28 U.S.C. § 636(b). The court reviews the Report only for clear error in the absence of an objection. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”) (citation omitted).

The Report recommends Plaintiff’s Amended Complaint be dismissed pursuant to 28 U.S.C. § 1915, which allows a court to dismiss a case in which the litigant has not paid the filing fee if the action fails to state a claim on which relief may be granted, is frivolous, or is malicious. ECF No. 20. The Magistrate Judge recommends dismissing claims in the instant case because Plaintiff fails to state a claim under 42 U.S.C. § 1983 for a constitutional violation, as he fails to explain how the defendants violated his constitutional rights to allege facts sufficient to plead a constitutional claim. *Id.* at 2-3; *see also* ECF No. 9 at 4-6. Several named defendants are not amenable to suit under § 1983. In addition, she recommends dismissal of Plaintiff’s Fourth Amendment claims concerning his arrest and detention under *Heck v. Humphrey*, 512 U.S. 477, 481 (1994). *Id.* at 2.

Plaintiff’s first letter asserts he is being “denied equal rights injustice and very unfairness.” ECF No. 23 at 1. He wants to “put indictment on ASGDC for tampered mail.” *Id.* at 2. His next

letter notes he corrected deficiencies in his original complaint but has “not received my disposition to my amendment of complaint.” ECF No. 24 at 1. He states he was transported to Prisma hospital where the nurse gave him an “illegal shot” and references body camera footage. *Id.* at 3. He acknowledges he “really didn’t even know names anyway.” *Id.* at 4. Plaintiff’s next filing was construed as a motion requesting “all records, all body camera, nothing missed, motions to discovery from Rich Co. Sheriff Dept with preliminary hearing evidences all original audio video, all hospital room cameras plus all supreme courts lawyer on commission conduct.” ECF No. 25 at 1 (errors in original). His next filing simply states “please obtain all details information portions discerning faults to utterly subdue evidences. To all parties.” ECF No. 26 (errors in original). Following that is a motion to “get all records for all information” from Richland County Sheriff’s Department and Richland Prisma Health. ECF No. 27 at 1.

Plaintiff then filed a motion for discovery requesting “all detailed portions discerning evidences protainng to my action unrestraining all facts.” ECF No. 28 at 1 (errors in original). His next motion has a Richland County Judicial Center cover letter, and states he has three new indictments but “no informed evidence to any of my case rights.” ECF No. 31 at 1-2. He notes he is “demanding” his state court charges be tried in the supreme court and gives more detail about his state court case and bond. *Id.* at 3-4.

On July 2, 2025, Plaintiff asserts he received the Report from this court. ECF No. 35. He states no one has reviewed the body camera footage, hospital cameras, or bond court cameras, so nothing in his case has been reviewed at all. *Id.* at 2. He states justice will be served and “it’s not

over yet.” *Id.* The final two filings are addressed to “Mrs. Brenda” and ask for his factual allegations to be liberally construed. ECF Nos. 36, 38.

After considering the record, the applicable law, the Report and Recommendation of the Magistrate Judge, and Plaintiff’s filings, the court agrees with the Report’s recommendation the matter should be summarily dismissed. Plaintiff’s filings are nonsensical and for the most part do not appear to relate to his complaint in this district court. None provide any objections that alter the conclusions of the Magistrate Judge. Accordingly, the Report is adopted by reference in this Order, and Plaintiff’s Complaint is dismissed without prejudice and without issuance and service of process.

IT IS SO ORDERED.

s/Cameron McGowan Currie
CAMERON MCGOWAN CURRIE
Senior United States District Judge

Columbia, South Carolina
July 23, 2025